

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA) CR. NO. 1:CR-01-193
) CR. NO. 1:CR-05-06
v.)
) (JUDGE RAMBO)
)
JOHN MIZIC)

MOTION FOR DETENTION PENDING SENTENCING

AND NOW comes the United States of America, by its undersigned moves pursuant to Title 18 United States Code, Section 3143, and hereby requests detention of the above-named defendant pending sentencing. In support of this motion the United States alleges as follows:

1. As a result of proceedings conducted before this Court, the defendant is currently awaiting sentencing on federal criminal charges.

2. Pursuant to Title 18, United States Code, Section 3143(a)(1), this Court should order the detention of a defendant pending sentencing unless: 1) the sentencing guidelines for the offense do not recommend a term of imprisonment; or 2) the judicial officer finds by clear and convincing evidence that the defendant does not pose a risk of flight or a danger to the community or the safety of any other person.

3. Judged against these legal standards, in this case the United States submits that the defendant has not made the requisite

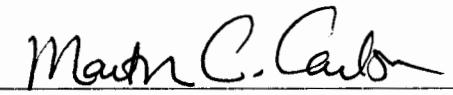
showing to justify release pending sentencing. Therefore, the defendant should be detained pending sentencing.

WHEREFORE, for the forgoing reasons, the United States seeks detention of the defendant pending sentencing. For the convenience of the Court a proposed form of Order is attached.

Respectfully submitted,

THOMAS A. MARINO
UNITED STATES ATTORNEY

BY:


MARTIN C. CARLSON
Assistant U.S. Attorney
228 Walnut Street, Suite 220
Harrisburg, Pa. 17108
Phone: 717-221-4482
Fax: 717-221-2582
Martin.Carlson@USDOJ.gov
PA Bar #33396

Dated: _____